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30 South 17th Street
Philadelphia, PA 19103

In re Application of :
Lehmann et al : DECISION ON RENEWED
Application No.: 10/009,131 :
PCT No.: PCT/EP00/03860 :
Int. Filing Date: 28 April 2000 : PETITION UNDER
Priority Date: 06 May 1999 :
Attorney's Docket No.: SMB-PT036 :
For: DEVICE FOR PERFORMING ANALYSES : 37 CFR 1.47(a)
ON CELL-CULTURES :

This is in response to applicants' "Second Request for Status Regarding Second Renewed Petition Under 37 C.F.R. 1.47(a) Filed November 13, 2003" filed on 8 August 2005. Below is a copy of the decision by this Office on 31 January 2005 in response to the second renewed petition. It was mailed to the above firm at:

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1617 John F. Kennedy Boulevard
Philadelphia, PA 19103

This decision is in response to applicants' "SECOND RENEWED PETITION UNDER 37 CFR 1.47(a)" filed on 13 November 2003 in response to a decision by this Office dated 30 September 2003.

BACKGROUND

The decision by this Office dated 30 September 2003 indicated that requirements (2)-(4) had not been satisfied. In addition, the decision stated that the Declaration provided was defective since it was not complete.

On 13 November 2003, petitioner filed this renewed petition accompanied, inter alia, an executed declaration by all the inventors.

DISCUSSION

The second renewed petition states subsequent to the date of the Decision, Bernhard Wolf, executed a declaration. The declaration is now signed by all the inventors.

Accordingly, the declaration submitted on 13 November 2003 complies with 37 CFR 1.497(a) and (b).

CONCLUSION

The petition under 37 CFR 1.47(a) is **MOOT**.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing consistent with this decision. The 35 USC 371(c)(1), (c)(2), and (c)(4) date of this application is **13 November 2003**



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